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2 UNITED STATES DISTRICT COURT  
3 WESTERN DISTRICT OF WASHINGTON  
4 AT SEATTLE

5 RICHARD STOKES,

6 Plaintiff(s),

7 v.

8 METRO TRANSIT POLICE, et al.,

9 Defendant(s).

NO. C09-105MJP

ORDER DISMISSING CERTAIN  
CLAIMS AND DECLINING  
JURISDICTION OVER STATE LAW  
CLAIMS

10 The above-entitled Court has received and reviewed the Stipulation and Proposed Order (Dkt.  
11 No. 16) submitted by the parties. The stipulation contains both sides' mutual agreement to dismiss all  
12 of Plaintiff's claims in this matter with the exception of a sole claim of negligence against the King  
13 County Department of Transportation - Metro Transit Division.


14 IT IS ORDERED that, pursuant to agreement of the parties, Plaintiff Richard Stokes' claims  
15 against Metro Transit Police, Baldev Sandhu and Deputy Corey Marcotte as set forth in his Complaint  
16 in the above-entitled matter, including individual claims for alleged violations of the Fourth and  
17 Fourteenth Amendments by Deputy Corey Marcotte brought under 42 U.S. C. § 1983; alleged  
18 violations of the Washington State Constitution, Article 1, Section 3 and Washington State statute,  
19 RCW49.60.030 by Deputy Corey Marcotte; common law claims of alleged assault and battery,  
20 outrage and negligence by Deputy Corey Marcotte; individual common law claims of alleged outrage  
21 and negligence by Baldev Sandhu; and all constitutional or common law claims against Metro Transit  
22 Police, are dismissed with prejudice.

23 IT IS FURTHER ORDERED that Plaintiff Richard Stokes retains a sole claim of negligence  
24 against King County Department of Transportation - Metro Transit Division.

1 IT IS FURTHER ORDERED that, as there are no federal claims remaining and no diversity  
2 jurisdiction appearing from the face of the Complaint, the Court declines to exercise supplemental  
3 jurisdiction over the state law claim in this matter and orders the case REMANDED to state court for  
4 adjudication of Plaintiff's remaining cause of action.

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6 The clerk is ordered to provide copies of this order to all counsel.

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8 Dated: October 26, 2009

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11 Marsha J. Pechman  
U.S. District Judge